

**SENATE . . . . . No. 864**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Harriette L. Chandler*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act creating a multi-family housing incentive pilot program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>2/25/2021</i>

**SENATE . . . . . No. 864**

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 864) of Harriette L. Chandler and Michael J. Barrett for legislation to create a multi-family housing incentive pilot program. Housing.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act creating a multi-family housing incentive pilot program.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 23A of the General Laws, as appearing in the 2018 Official  
2 Edition, is hereby amended by inserting, after section 68, the following section:-

3 Section 69. There shall be in the executive office of housing and economic development  
4 a transit-oriented housing development pilot program to offer incentives to cities and towns to  
5 zone for substantial multifamily housing and/or mixed use development in suitable locations by  
6 funding transportation infrastructure projects in or near those zoning districts.

7 (a) For the purposes of this section, unless the context clearly requires otherwise, the  
8 following words shall have the following meanings:

9 “Multi-family housing”, a building with 3 or more residential dwelling units or 2 or more  
10 buildings on the same lot with more than 1 residential dwelling unit in each building. For  
11 purposes of this section, multi-family housing must not be age-restricted and must include at  
12 least some units suitable for families.

13 “Transit-oriented housing development”, a development that (1) produces multi-family  
14 housing and/or a mix of uses that includes multi-family housing, and (2) is located within ½ mile  
15 of an existing rail or rapid transit station, a public transportation ferry terminal, or within a  
16 corridor with a fixed route bus service or would be so located if the city or town’s proposal under  
17 this section were implemented.

18 “Transit projects,” new public transit infrastructure, or improvements of existing public  
19 transit infrastructure, including but not limited to rail or rapid transit stations, ferry terminals, bus  
20 stations or corridor stops, dedicated lanes and signaling for bus rapid transit, rail or rapid transit  
21 vehicles, buses, and pedestrian and bike infrastructure to improve access to transit.

22 (b) To demonstrate local interest and feasibility of a transit-oriented housing  
23 development program as set forth in this section, the agency shall design a competition open to  
24 cities and towns to propose zoning changes to produce transit-oriented housing development in  
25 return for transit infrastructure projects in or near the proposed zoning district(s). The agency  
26 may structure the competition to provide opportunities for cities and towns of different sizes and  
27 in different regions to be selected, and may allow municipalities to submit joint proposals. In its  
28 request for proposals, the agency shall indicate that cities and towns may propose transit projects  
29 already under consideration by the Massachusetts Department of Transportation and its agencies  
30 or may propose new projects. The secretary of housing and economic development, in  
31 consultation with the secretary of transportation, shall issue a request for proposals within one  
32 year of enactment.

33 (c) The secretary of housing and economic development and the secretary of  
34 transportation shall jointly make their selection within 120 days of receiving proposals from

35 cities and towns. If the secretaries jointly find that no proposal is appropriate for selection, the  
36 secretary of housing and economic development may either re-issue the request for proposal with  
37 changes as needed, or the secretaries may jointly terminate the pilot. The secretaries shall use  
38 their discretion in making the selection, but shall consider at least the following criteria:

39 (d) With their selection, the secretaries shall outline an implementation plan that may  
40 include advancing a transportation project with funding that has already been appropriated and/or  
41 may include a request for project funding from the legislature. The implementation plan shall  
42 specify the steps the selected municipality or municipalities must take to zone for and permit the  
43 contemplated transit-oriented housing development, and/or to contribute to funding the transit  
44 project.

45 (e) The secretary of housing and economic development, in consultation with the  
46 secretary of transportation, shall report annually to the clerks of the house of representatives and  
47 the senate, who shall forward the report to the house of representatives and the senate, the chairs  
48 of the joint committee on housing, the chairs of the joint committee on transportation, and the  
49 chairs of the senate and house committees on ways and means, on the activities and status of the  
50 pilot program, including whether the program should be established on a continuing basis or  
51 terminated after the pilot is completed. The reports shall include the request for proposals issued,  
52 a list and description of all local proposals responsive to the request for proposal, identification  
53 of the selected proposal or proposals and the accompanying implementation plan, updates on  
54 implementation as appropriate, and any outcomes obtained through this pilot program. When the  
55 secretaries jointly find that the pilot program is complete, secretary of housing and economic  
56 development shall issue a final report to the clerks.